

**REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF NEW HARTFORD, NEW YORK  
HELD AT BUTLER MEMORIAL HALL, NEW HARTFORD, NY ON  
WEDNESDAY, DECEMBER 5, 2018, AT 6:00 P.M.**

Town Supervisor Miscione called the meeting to order at 6:00 P.M. and led those in attendance in the Pledge of Allegiance to the American Flag. The roll was then taken with the following Town Officials and Department Heads being present during the progress of the meeting.

**TOWN BOARD MEMBERS PRESENT:**

Councilman David M. Reynolds  
Councilman Richard B. Woodland, Jr.  
Supervisor Paul A. Miscione

**ABSENT:**

Councilman James Messa  
Councilman Philip Cittadino

**OTHER TOWN OFFICIALS/EMPLOYEES PRESENT:**

Assessor Darlene Abbatecola  
Highway/Sewer Superintendent Richard C. Sherman  
Police Chief Michael S. Inserra  
Town Attorney Herbert J. Cully  
Town Clerk Gail Wolanin Young

Thereafter, the Supervisor declared a quorum present for the transaction of business.

**MINUTES**

**September 13, 2018 Town Board meeting**

Councilman Woodland introduced the following Resolution for adoption, seconded by Councilman Reynolds:

**(RESOLUTION NO. 485 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Special Town Board meeting held September 13, 2018 and does further waive the reading of same.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Absent
Councilman Cittadino	-	Absent
Councilman Reynolds	-	Aye

Councilman Woodland - Aye  
Supervisor Miscione - Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

**September 19, 2018 Town Board meeting**

Councilman Reynolds introduced the following Resolution for adoption, seconded by Councilman Woodland:

**(RESOLUTION NO. 486 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby accept and approve as submitted the minutes of the Regular Town Board meeting held September 19, 2018 and does further waive the reading of same.

Upon roll call, the Board members voted as follows:

Councilman Messa - Absent  
Councilman Cittadino - Absent  
Councilman Reynolds - Aye  
Councilman Woodland - Aye  
Supervisor Miscione - Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

**Agreements - Ice Rental**

The following Resolution was introduced for adoption by Councilman Reynolds and duly seconded by Councilman Woodland:

**(RESOLUTION NO. 487 OF 2018)**

**BE IT RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute Ice Rental Agreements for the 2018-2019 Ice Season between the Town of New Hartford and the following organizations:

- Mohawk Valley Old Timers Hockey League
- Syracuse Stars Hockey LLC
- Figure Skating Club of New Hartford
- New Hartford Youth Hockey Association, Inc.
- SUNY Oneonta Club Hockey Program

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Absent
Councilman Cittadino	-	Absent
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

**Audit of Vouchers**

Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Reynolds:

**(RESOLUTION NO. 488 OF 2018)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby authorize and direct the payment of bills itemized on the following Abstracts, which had been duly audited by the Town Board:

Street Lighting Abstract #12	
Vouchers SL12	\$ 9,733.82
Capital Projects – PARKS - Abstract #3	
Vouchers HX6-HX8	\$ 43,550.14
General Fund Whole-Town Abstract #28	
Vouchers AA1261-AA1272	<u>\$ 20,454.35</u>
<b>TOTAL:</b>	<b>\$ 73,738.31</b>

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Absent
Councilman Cittadino	-	Absent
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

**Cold War Veterans Exemption – Local Law Introductory “L” of 2018**

Councilman Woodland introduced the following legislation for the Town Board’s consideration at a future Town Board meeting; co-sponsored by Councilman Reynolds:

**Town of New Hartford, NY  
Local Law Introductory “L” of 2018**

A Local Law to amend the Code of the Town of New Hartford, Chapter 107 thereof entitled “Taxation” by removing the ten (10) year limitation.

**BE IT ENACTED** by the Town Board of the Town of New Hartford as follows:

**Section 1:** Chapter 107, Article VII entitled Cold War Veterans’ Exemption shall be amended to remove and delete in Section 107-21G the ten (10) year limitation of said exemption.

**Section 2:** Except as modified herein, all remaining portions of Chapter 107 shall remain in full force and effect

**Section 3:** This Local Law shall become effective immediately upon its filing with the office of the Secretary of State.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Absent
Councilman Cittadino	-	Absent
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

**Local Law Introductory “L” of 2018; public hearing scheduled**

Councilman Woodland offered the following Resolution for adoption; seconded by Councilman Reynolds:

**(RESOLUTION NO. 489 OF 2018)**

**RESOLVED** that the Town Board does hereby schedule a Public Hearing on Local Law Introductory “L” for December 19, 2018, at 6:00 P.M. in Butler Memorial Hall, 48 Genesee Street, New Hartford, NY, and does hereby authorize the Town Clerk to publish the legal requisite notice of public hearing.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Absent
Councilman Cittadino	-	Absent
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

**Drainage ponds at Preswick Glen**

Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Reynolds:

**(RESOLUTION NO. 490 OF 2018)**

**RESOLVED** that the Town Board does hereby authorize the Town's attorney to contact Preswick Glen in relation to the cleaning that is to be done to their privately-owned drainage ponds. If work is not completed, then the Town will charge the aforementioned cleaning services provided by the Town.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Absent
Councilman Cittadino	-	Absent
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

**Grants: Stormwater Improvement- Flood Mitigation**

**Sangertown Mall Area:**

The Town Supervisor along with the Highway Superintendent have been working together on the grants the Town received from Oneida County in an effort to help with flood mitigation. Estimates were done by Dunn & Sgromo which had a total proposal of \$48,000.00 for flood mitigation at the Sangertown Mall. After discussion it was the consensus of the Town Board that they needed more information and research done before a Resolution could be passed. They would revisit the discussion at the December 19, 2018 Town Board Meeting.

**Middle Settlement Road:**

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The Highway Superintendent along with the Town Supervisor have been in discussions with Special Metals, LLC; the company is currently working with the New York State Department of Environmental Conservation to remediate contamination in the area of Middle Settlement Road. Due to Special Metals removal of contaminated soil, and having to replace what was lost with clean soil and trees to DEC's specifications; the Town is interested in starting a public/private partnership, including using "good" dirt on which a berm could be constructed, rather than using "old" dirt. The Town was already looking at adding a berm to help with floodwater mitigation. This project could save the Town 1-2 Million Dollars as well as savings for Special Metals.

Oneida County has an \$80,000.00 grant for the Town, who then must come up with the rest of the monies for the project. All parties will meet next week with the Army CORPS of Engineers.

The following resolution was introduced by Councilman Reynolds and duly seconded by Councilman Woodland:

**(RESOLUTION NO. 491 OF 2018)**

**BE IT RESOLVED**, that the New Hartford Town Board does hereby authorize the Town Supervisor to go ahead with the engineering aspect of the Special Metals project, at a cost of \$7,500.00 for engineering services to radiate the project.

**Land Parcel – Utica Zoo**

The following resolution was introduced by Councilman Woodland and duly seconded by Councilman Reynolds:

**(RESOLUTION NO. 492 OF 2018)**

**WHEREAS**, the Mohawk Valley Water Authority owns land along Valley View Drive, in the Town of New Hartford; and

**WHEREAS**, the said Mohawk Valley Water Authority wishes to give the City of Utica said land, for improvements to the Utica Zoo;

**NOW THEREFORE BE IT RESOLVED**; that the Town of New Hartford has no objections to the alienation of lands.

**Inter-municipal Agreement – Salt/Brine Town of Whitestown**

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Upon recommendation of the Highway Superintendent, Councilman Reynolds offered the following Resolution for adoption; seconded by Councilman Woodland:

**(RESOLUTION NO. 493 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Supervisor to enter into and to execute Agreements between the Town of New Hartford and the Town of Whitestown, wherein said Town will provide salt brine-magnesium chloride solution on an “as-needed” basis to said entities for utilization on its property or village streets and said entities will pay Twenty Three Cents (\$0.23) per gallon, plain salt brine will be sold at Eighteen Cents (\$0.18) per gallon.

Upon roll call, the Town Board members voted as follows:

Councilman Messa	-	Absent
Councilman Cittadino	-	Absent
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Town Supervisor declared the Resolution unanimously carried and duly **ADOPTED**

**2019 Town & County Taxes – Cathedral Corporation**

Upon recommendation of the Town Clerk, the following Resolution was introduced by Councilman Woodland and duly seconded by Councilman Reynolds,

**RESOLVED** that the Town Board does hereby authorize and direct the Town Clerk/ Tax Receiver to remit payment to Cathedral Corporation, 632 Ellsworth Road, Rome NY 13441, for the postage deposit of the 2019 Town and County Taxes; a total sum of Three Thousand Seven Hundred Eighty Dollars (\$3,780.00).

The Resolution was voted upon by roll call as follows:

Councilman Messa	-	Absent
Councilman Cittadino	-	Absent
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Town Supervisor declared the Resolution unanimously carried and duly **ADOPTED**

**2018-2019 Ice Control Agreement – Village of Yorkville**

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Upon recommendation of the Highway Superintendent, the following Resolution was introduced by Councilman Reynolds and duly seconded by Councilman Woodland:

**(RESOLUTION NO. 494 OF 2018)**

**RESOLVED** that the New Hartford Town Board does hereby authorize and direct the Town Superintendent of Highways and the Town Supervisor to enter into and to execute an Agreement with the Village of Yorkville, wherein said Town will provide pure salt on an “as-needed” basis to said entities for its utilization on its property or village streets and said entities will pay Sixty-Four Dollars (\$64.00) per ton, as provided and as delivered to a stockpile location within said entity’s jurisdiction; said Agreement shall be for a period commencing on the 1<sup>st</sup> day of November 2018 and terminate on the last day of October 2019, unless sooner terminated for cause as more fully defined in the Agreement.

The Resolution was voted upon by roll call as follows:

Councilman Messa	-	Absent
Councilman Cittadino	-	Absent
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Town Supervisor declared the Resolution unanimously carried and duly **ADOPTED**.

**2009 Pre-Development agreement – Seneca Turnpike Liquors**

The Town Supervisor brought to the attention of that board that the Town Clerks Office had found a Check #2218 for \$1502.40 presented by Gregory P. Gorea for the Seneca Turnpike Liquors Pre-Development Agreement from 2009 that was never deposited. The consensus was to return the check to Mr. Gorea and get a new check for the same amount.

The Resolution was voted upon by roll call as follows:

Councilman Messa	-	Absent
Councilman Cittadino	-	Absent
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

The Town Supervisor declared the Resolution unanimously carried and duly **ADOPTED**

**Re-affirmation of Audit of Vouchers- November 5, 2018**

Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Reynolds:

**(RESOLUTION NO. 495 OF 2018)**

**RESOLVED** that the Town Board of the Town of New Hartford does hereby authorize and direct the payment of bills itemized on the following Abstracts from the November 5, 2018 Town Board Meeting, which had been duly audited by the Town Board:

Gander Mountain Fund Abstract #4	
Vouchers HV5-HV8	\$ 284,292.25
<b>TOTAL:</b>	<b>\$ 284,292.25</b>

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Absent
Councilman Cittadino	-	Absent
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

**Supervisor Miscione – Town Hall: Move in Dates**

The Towns IT Move is scheduled for the week of December 24<sup>th</sup>; everything is “on target”.

**Authorize competitive Bid/Requests for Replacement 20 Ton- Rooftop Furnace**

Supervisor Miscione brought to the attention of the Town Board that the rooftop furnace over the Town Hall is broken. There are three options open to the Board; replace parts of the broken furnace to make it operational, to move an existing furnace on the rooftop that the Town is not going to be operating, or purchase a new, high efficiency furnace to replace the broken one.

After discussions on which option would be the most beneficial to the Town, Councilman Reynolds presented the following Resolution for adoption; seconded by Councilman Woodland:

**(RESOLUTION NO. 496 OF 2018)**

**RESOLVED**, that the New Hartford Town Board does hereby authorize and direct the commencement of the Bid/Request for a replacement 20- ton rooftop mounted furnace to be installed at the new Town Hall; 8635 Clinton Street, New Hartford.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Absent
Councilman Cittadino	-	Absent
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

**Dedication of entrance road – The Orchard**

With regard to the dedication of entrance roads into the Orchard, the Town Attorney acknowledged that he was given the survey description and is awaiting receipt of the certifications. Upon his recommendation, Councilman Woodland presented the following Resolution for adoption; seconded by Councilman Reynolds:

**(RESOLUTION NO. 497 OF 2018)**

**RESOLVED**, that the Town of New Hartford does hereby accept the road dedication in the Orchard, pending receipt of the certifications and the requirements.

Upon roll call, the Board members voted as follows:

Councilman Messa	-	Absent
Councilman Cittadino	-	Absent
Councilman Reynolds	-	Aye
Councilman Woodland	-	Aye
Supervisor Miscione	-	Aye.

This Resolution was declared unanimously carried and duly **ADOPTED**.

**Sale of Police Vehicle**

Highway Superintendent Richard Sherman accepted a total of \$33,500 from Auctions International for Police Car VIN # 1D8HB38P9F712705.

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**ADJOURNMENT**

There being no further business to come before the Town Board, upon motion of Councilman Reynolds and seconded by Councilman Woodland the meeting was adjourned at 6:41 P.M.

Respectfully Submitted,  
Town Clerk's Office  
Gail Wolanin Young

Allison Adams  
Deputy Town Clerk II